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THIRTY-SECOND DAY

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OFFICE OF THE CHIEF CLERK

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THIRTY-SECOND DAY

Thursday, March 15, 2012

The House of Representatives of the Twenty-Sixth Legislature of the State of Hawaii, Regular Session of 2012, convened at 12:06 o'clock p.m., with Vice Speaker Manahan presiding.

The invocation was delivered by Representative Derek S.K. Kawakami, after which the Roll was called showing all Members present with the exception of Representatives Aquino, Herkes and Souki, who were excused.

On motion by Representative Evans, seconded by Representative Pine and carried, reading of the Journal was dispensed with and the Journal of the Nineteenth Day was approved. (Representatives Aquino, Herkes and Souki were excused.)

DEPARTMENTAL COMMUNICATIONS

The following departmental communication (Dept. Com. No. 78) was received by the Clerk and was placed on file:

Dept. Com. No. 78, dated March 14, 2012, from Marion M. Higa, State Auditor, Office of the Auditor, transmitting the report, Investigation of the Stadium Authority's Swap Meet Operations, pursuant to Section 23-9, HRS.

INTRODUCTIONS

The following introductions were made to the Members of the House:

Representative Takai, on behalf of Representative Takumi and himself, introduced the students and parents visiting the Capitol:

Parents - Mrs. Sami Takai, Ms. Deanna Nomura, Ms. Shelly Tanaka, and Ms. Sharla Nomura.

Students - Kaila Takai, Matthew Takai, Jaymie Nomura, Erin Norinaga, Raelyn Yoshioka, Kailee Tanaka, Brycen Tanaka, Jett Nomura, and Rayna Nomura.

Representative Takai also recognized his family, Mrs. Sami Takai, and their children Kaila and Matthew Takai.

Representative Ching recognized the 5th grade students of Cathedral Catholic Academy and their teacher, Mr. Joseph Henderson.

Representative Ward introduced Department of Education Superintendent, Kathryn Matayoshi.

ORDER OF THE DAY

INTRODUCTION OF RESOLUTIONS
(FLOOR PRESENTATIONS)

The following resolution (H.R. No. 179) was announced by the Clerk and the following action taken:

H.R. No. 179, entitled: "HOUSE RESOLUTION CONGRATULATING SAMIANN 'ALOHA' COLEMAN AS THE 2011 METLIFE/NASSP HAWAII HIGH SCHOOL PRINCIPAL OF THE YEAR, JACQUELYN DAVIS AS THE 2011 NASSP/VICRO HAWAII STATE ASSISTANT PRINCIPAL OF THE YEAR, JOYCE IWASHITA AS THE 2011 NAESP DISTINGUISHED PRINCIPAL OF THE YEAR, AND HOKULANI ELEMENTARY SCHOOL, ENCHANTED LAKE ELEMENTARY SCHOOL, AND HEEIA ELEMENTARY SCHOOL AS 2012 HAWAII BLUE RIBBON SCHOOLS," was offered by Representative Takumi.

Representative Takumi moved that H.R. No. 179, be adopted, seconded by Representative Belatti.

Representative Takumi congratulated the first honoree, Ms. Samiann 'Aloha' Coleman, Principal at Leilehua High School and the 2011 MetLife/National Association of Secondary School Principals Hawaii High School Principal of the Year, who was seated on the Floor of the House.

Representative Belatti congratulated additional honorees seated on the Floor of the House:

Ms. Jacquelyn Davis, Vice Principal of the Maui Waena Intermediate School and the 2011 National Association of Secondary School Principals/Vicro Hawaii State Assistant Principal of the Year.

Ms. Joyce Iwashita, Principal at Kalaniana'ole Elementary and Intermediate School and the 2011 National Association of Elementary School Principals Distinguished Principal of the Year; and her husband, Mr. Andrew Iwashita who was seated in the Gallery.

Representative Belatti then congratulated the 2011 Blue Ribbon Schools:

Hokulani Elementary School, represented by their Principal, Dr. Alan Ramos, who was seated on the Floor of the House; and the many students, parents and faculty members seated in the Gallery.

Students - Josana Chun, Victoria Chun, Carmen Iam, William Iam, Isabel Takane, Mira Tokuda, Ariel Tishammer, Sean Vanairsdale and Ryan Vanairsdale.

Parents - Naro Chun, David Chun, Andy Iam, Kaho Tishammer and Dennis Vairsdale.

SCC Members - Jerilynn Bernal, Livingston Takane and Bryan Tokuda.

Enchanted Lake Elementary School, represented by their Principal, Ms. Pua'ala McElhaney, who was seated on the Floor of the House.

Heeia Elementary School, represented by Mr. Jed Tesoro on behalf of Principal Wendy Matsuzaki, who was seated on the Floor of the House; and the many students and faculty members seated in the Gallery.

Students - Keaupo McGee-Lee and Psalms Falelua.

Teachers - Patty Chung, Marlene Deai, Janice Ho, Linda Lee and Charlene Upton.

Administrators - Sindri Olson and Becca Falelua.

The motion was put to vote by the Chair and carried, and H.R. No. 179, was adopted, with Representatives Herkes and Souki being excused.

At 12:24 o'clock p.m. the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 12:31 o'clock p.m., with Speaker Say presiding.

REPORTS OF STANDING COMMITTEES

Representative Nishimoto, for the Committee on Higher Education presented a report (Stand. Com. Rep. No. 992-12) recommending that S.B. No. 2005, SD 2, pass Second Reading and be referred to the Committee on Judiciary.

Representative Chong moved that the report of the Committee be adopted, and that S.B. No. 2005, SD 2, pass Second Reading and be referred to the Committee on Judiciary, seconded by Representative Evans.

Representative Ward rose, stating:

"Mr. Speaker, a point of information. In *Mason's* rules, page 179, section 216, it says, Rules Governing Motion to Recess. The motion to recess cannot be made while another has the floor or during voting or the verification of a vote.

"Mr. Speaker, I just wanted to clear the air from yesterday, that, that had been a practice as that misunderstood procedure took place, that, that lack of civility did take place. I just say to clear the air from yesterday and for today and ongoing, that we practice when somebody's speaking that we don't say 'recess' because it's not in the rules of civility, and the decorum in the rules would be the better way to follow. Thank you."

The Chair responded, stating:

"Representative, there are the parts of the rules that allow the Chair to call for the recess."

Representative Ward: "The Chair. But not somebody who's not the Chair to do that, Mr. Speaker."

Speaker Say: "I believe yesterday there was no one that called for recess from this floor, but it was the Chair here that called the recess."

Representative Ward: "Did I say the Majority Leader who was here yesterday? That was the call, Mr. Speaker. Nothing to do with that. It's just a bad habit we have. We need to be civil. We need to have decorum. And that's one of the things that really pierces it. Thank you."

Representative Hanohano rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative Belatti rose and asked that the Clerk record a no vote for her, and the Chair "so ordered."

At 12:34 o'clock p.m. Representative Takai requested a recess and the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 12:35 o'clock p.m.

Representative Takai rose and asked that the Clerk record an aye vote with reservations for him, and the Chair "so ordered."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 2005, SD 2, entitled: "A BILL FOR AN ACT PROPOSING A CONSTITUTIONAL AMENDMENT TO ARTICLE X, SECTION 6, OF THE HAWAII STATE CONSTITUTION TO MODIFY THE APPOINTMENT PROCESS FOR THE BOARD OF REGENTS OF THE UNIVERSITY OF HAWAII," passed Second Reading and was referred to the Committee on Judiciary, with Representative Belatti voting no, and with Representatives Herkes and Souki being excused.

Representative Nishimoto, for the Committee on Higher Education presented a report (Stand. Com. Rep. No. 993-12) recommending that S.B. No. 2620, SD 1, pass Second Reading and be referred to the Committee on Legislative Management.

Representative Chong moved that the report of the Committee be adopted, and that S.B. No. 2620, SD 1, pass Second Reading and be referred to the Committee on Legislative Management, seconded by Representative Evans.

Representative Belatti rose and asked that the Clerk record a no vote for her, and the Chair "so ordered."

Representative Hanohano rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative Takai rose and asked that the Clerk record an aye vote with reservations for him, and the Chair "so ordered."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 2620, SD 1, entitled: "A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII BOARD OF REGENTS," passed Second Reading and was referred to the Committee on Legislative Management, with Representative Belatti voting no, and with Representatives Herkes and Souki being excused.

Representatives Herkes and Keith-Agaran, for the Committee on Consumer Protection & Commerce and the Committee on Judiciary presented a report (Stand. Com. Rep. No. 994-12) recommending that S.B. No. 2429, SD 2, pass Second Reading and be referred to the Committee on Finance.

Representative Chong moved that the report of the Committees be adopted, and that S.B. No. 2494, SD 2, pass Second Reading and be referred to the Committee on Finance, seconded by Representative Evans.

Representative Cullen rose to disclose a potential conflict of interest, stating:

"Mr. Speaker, may I ask for a ruling on a potential conflict? I serve as a Director on my homeowner association," and the Chair ruled, "no conflict."

Representative Riviere rose and asked that the Clerk record an aye vote with reservations for him, and the Chair "so ordered."

Representative Hanohano rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative Fontaine rose and asked that the Clerk record an aye vote with reservations for him, and the Chair "so ordered."

Representative Marumoto rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative Cullen rose and asked that the Clerk record a no vote for him, and the Chair "so ordered."

Representative Pine rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative Johanson rose and asked that the Clerk record an aye vote with reservations for him, and the Chair "so ordered."

Representative Ward rose and asked that the Clerk record an aye vote with reservations for him, and the Chair "so ordered."

Representative Yamane rose to speak in support of the measure with reservations, stating:

"Mr. Speaker, please record my reservations on this measure, and just a brief comment. Mr. Speaker and Members, the Chair has been working very diligently on the measures before you, and I have supported the Chair and will continue to support the Chair. My reservation is regarding the specific issue of the homeowner's association and their impact.

"Mr. Speaker, in some the current language of the Senate Bill, especially affecting the two-year lien expiration could actually have some pretty pricey impacts. One estimate, just from the Mililani Town Association would result in about a \$480,000 increase in potential costs for current liens of about a hundred foreclosures.

"So Mr. Speaker, I did want to update the membership here today, that there has been a compromised reach after our CPC hearing on Monday. There has been some language regarding a six-year expiration on recorded liens, specific provisions stating the automatic liens will survive even after the recorded lien expires and allow judicial foreclosures for penalties and late fees. That was amended in the House Bill on the Senate side. My understanding is currently, after my no vote in the Committee, that this language has been reviewed and looked at favorably. So with the hopes

that this language will be continued to be inserted as this measure moves on, I will be voting with reservations. Thank you."

Representative Ching rose to disclose a potential conflict of interest, stating:

"Thank you, Mr. Speaker. I am asking for a potential conflict of interest. I serve on two condominium boards," and the Chair ruled, "no conflict."

Representative Ching rose continued to speak in opposition to the measure, stating:

"Thank you, Mr. Speaker. With that, I'm sorry. I will register my no vote, and ask that the Chair of Health, the Representative of Mililani's words be entered as my own regarding that particular part of the bill," and the Chair "so ordered." (By reference only.)

Representative Keith-Agaran rose to disclose a potential conflict of interest, stating:

"Yes, Mr. Speaker. May I have a ruling on a possible conflict? In my law practice we do occasionally handle cases that include foreclosures involving associations," and the Chair ruled, "no conflict."

Representative Kawakami rose and asked that the Clerk record an aye vote with reservations for him, and the Chair "so ordered."

Representative Belatti rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative Morikawa rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative Har rose to disclose a potential conflict of interest, stating:

"Mr. Speaker may I have a ruling on a potential conflict? At my law firm I represent homeowner's associations and PCAs," and the Chair ruled, "no conflict."

Representative Har then asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative Giugni rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative Wooley rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative Luke rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative McKelvey rose in support of the measure with reservations and asked that the remarks of Representative Yamane be entered into the Journal as his own, and the Chair "so ordered." (By reference only.)

Representative Cullen rose, stating:

"Mr. Speaker. I would like to change my no vote to a vote with reservations."

Representative Takai rose and asked that the Clerk record an aye vote with reservations for him, and the Chair "so ordered."

Representative M Lee rose to speak in support of the measure with reservations, stating:

"Thank you. Mr. Speaker, first I would like a ruling on a possible conflict. I'm a member of the largest planned community association in the State.

"I'd also like to have a vote with strong reservations entered on this bill, because of the cost drivers on the bill as originally written could result in significant costs for homeowners. I think it is positive that Representative from Mililani has worked on a compromise. I'd like to have the words of the Representative of Mililani entered as if they were my own. Thank you," and the Chair "so ordered." (By reference only.)

Representative Cabanilla rose to speak in support of the measure, stating:

"In support, Mr. Speaker. And I like that portion of this bill where they cannot foreclose a homeowner in a condo association of homeowners based on liens against penalties, legal fees, or late fees. I think that's important, Mr. Speaker. Thank you."

Representative Awana rose in support of the measure with reservations and asked that the remarks of Representative Yamane be entered into the Journal as her own, and the Chair "so ordered." (By reference only.)

The motion was put to vote by the Chair and carried, and the report of the Committees was adopted and S.B. No. 2429, SD 2, entitled: "A BILL FOR AN ACT RELATING TO FORECLOSURES," passed Second Reading and was referred to the Committee on Finance, with Representative Ching voting no, and with Representatives Herkes and Souki being excused.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 995-12) recommending that S.B. No. 2768, SD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2768, SD 1, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," passed Second Reading and was referred to the Committee on Finance, with Representatives Herkes and Souki being excused.

Representative Herkes, for the Committee on Consumer Protection & Commerce presented a report (Stand. Com. Rep. No. 996-12) recommending that S.B. No. 2767, SD 2, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2767, SD 2, entitled: "A BILL FOR AN ACT RELATING TO INSURANCE," passed Second Reading and was referred to the Committee on Finance, with Representatives Herkes and Souki being excused.

Representative Chang, for the Committee on Water, Land, & Ocean Resources presented a report (Stand. Com. Rep. No. 997-12) recommending that S.B. No. 2277, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2277, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ENDANGERED AND THREATENED SPECIES," passed Second Reading and was referred to the Committee on Judiciary, with Representatives Herkes and Souki being excused.

Representative Chang, for the Committee on Water, Land, & Ocean Resources presented a report (Stand. Com. Rep. No. 998-12) recommending that S.B. No. 2534, SD 2, pass Second Reading and be referred to the Committee on Education.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2534, SD 2, entitled: "A BILL FOR AN ACT RELATING TO PUBLIC SCHOOL FACILITIES," passed Second Reading and was referred to the Committee on Education, with Representatives Herkes and Souki being excused.

Representatives Chang and Hanohano, for the Committee on Water, Land, & Ocean Resources and the Committee on Hawaiian Affairs presented a report (Stand. Com. Rep. No. 999-12) recommending that S.B. No. 682, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

Representative Chong moved that the report of the Committees be adopted, and that S.B. No. 682, SD 1, HD 1, pass Second Reading and be referred to the Committee on Judiciary, seconded by Representative Evans.

Representative Hanohano rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative Riviere rose and asked that the Clerk record an aye vote with reservations for him, and the Chair "so ordered."

Representative Luke rose and asked that the Clerk record a no vote for her, and the Chair "so ordered."

Representative Brower rose to speak in opposition to the measure, stating:

"Mr. Speaker, I will be with *kakao'ole* on this measure. No vote, please. And if I may remind Members that when this went to the *Kanaka Maole* Committee, all members voted with *kanalua*, and for members to please flag this bill. Thank you."

Representative Belatti rose and asked that the Clerk record a no vote for her, and the Chair "so ordered."

Representative C. Lee rose and asked that the Clerk record an aye vote with reservations for him, and the Chair "so ordered."

Representative Wooley rose and asked that the Clerk record a no vote for her, and the Chair "so ordered."

Representative Ching rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative Saiki rose to speak in opposition to the measure, stating:

"Can I have a no vote, please? There's a violation of Article XI Section 5 in this bill. Thank you."

Representative Takai rose and asked that the Clerk record a no vote for him, and the Chair "so ordered."

Representative Jordan rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative Giugni rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative Har rose to speak in support of the measure with reservations, stating:

"Mr. Speaker, please note my strong reservations. Thank you."

Representative Awana rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative Chong rose to speak in support of the measure, stating:

"Mr. Speaker, in support. This is one of two bills that the Senate sent over to talk about the settlement between the State and the Office of Hawaiian Affairs. This bill allows OHA to build residential. It is interesting that many people have concerns that we should settle with OHA. But you know what? Let's not let them really utilize the land.

"What this bill says is if you get a settlement for property on Makai, you are able then to build residential. If you talk to anyone who is in development, they will tell you that it will be difficult for OHA or anyone else to utilize the land to the best use for that organization. And I think this

just keeps our options open, and the options open for the Hawaiians. That they should have the right for settlement for land that they may receive, to use it to their best advantage, and not to get land and tie one hand behind their back. Thank you."

Representative Wooley rose, stating:

"Thank you, Mr. Speaker. I appreciate the comments made by the Majority Leader, and request that my no vote be changed to a vote with reservations."

Representative Ward rose to speak in support of the measure, stating:

"Mr. Speaker, in support. And may I have the words of the Majority Leader as my own? I'm practicing civility, we can see that. That's supposed to be a joke."

Representative C. Lee rose to speak in support of the measure with reservations, stating:

"Thank you. Still with reservations. I just wanted to note that my concerns come from two particular places. First that there was overwhelming testimony from the particular community affected in the Kakaako area. That there were concerns with residential development. We all know the history behind that on the Kakaako Makai lands.

"The second was that the Office of Hawaiian Affairs and the Administration both made it very clear that they in no way want to jeopardize the potential settlement by having a loss of community support, a loss of support within the Legislature and other places, and to keep the concerns raised within this bill separate from the concerns raised with the settlement bill. Thank you, very much."

Representative Awana rose in support of the measure with reservations and asked that the remarks of Representative C. Lee also be entered into the Journal as her own, and the Chair "so ordered." (By reference only.)

The motion was put to vote by the Chair and carried, and the report of the Committees was adopted and S.B. No. 682, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO KAKAAKO," passed Second Reading and was referred to the Committee on Judiciary, with Representatives Belatti, Brower, Luke, Saiki and Takai voting no, and with Representatives Herkes and Souki being excused.

Representatives Chang and Coffman, for the Committee on Water, Land, & Ocean Resources and the Committee on Energy & Environmental Protection presented a report (Stand. Com. Rep. No. 1000-12) recommending that S.B. No. 2785, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce.

Representative Chong moved that the report of the Committees be adopted, and that S.B. No. 2785, SD 2, HD 1, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce, seconded by Representative Evans.

Representative Thielen rose to speak in opposition to the measure, stating:

"Thank you Mr. Speaker. I'm speaking against this bill, Mr. Speaker. Thank you, very much. The bill would establish a separate and distinct entity transmitting power to, and receiving revenue from an existing electric utility that is not owned or controlled by that electric utility. In other words, the bill establishes, on page 8, a certified cable company that will be subject to regulation by the Public Utilities Commission, and defined as a public utility.

"Mr. Speaker, about 108 years ago, the United States Congress enacted a law, and it provided as follows, and it's relevant to this bill. The bill affirmed an act by the Territory of Hawaii that granted the Hawaiian Electric Company a special franchise and special privileges to operate in Hawaii. The 58th Congress of the United States put in their law, provided that the Legislature of the Territory of Hawaii shall not grant to any

corporation, association or individual, any special privilege or franchise, without the approval of the Congress of the United States. In other words, setting up a new cable company, subject to regulation by the Public Utilities Commission and defined as a public utility, requires first, congressional approval.

"Then I would like to go on just briefly over to the Island of Kauai, and you'll say, how did KIUC come into operation if there needed to be congressional approval? Well you go back to 1927, nearly 100 years ago, and that is when the utility was authorized, then approved by Congress in 1928, in accordance with the Organic Act. It was later amended by Congress, in 1954, to enlarge the districts covered on the Island of Kauai.

"Mr. Speaker, this is very similar to what Congress did with the US Postal Service. Congress set up the US Postal Service and provided that no other system for delivering mail can be established absent Congress' consent. Same thing. And we have the same thing here, where congressional approval is required.

"Mr. Speaker, I am going to go into the demerits of the bill in a minute, but I wanted to make it absolutely clear, we've done research, and we have not found anything that Congress did to repeal its requirement, and I want to read those words again. The Legislature of the Territory of Hawaii, now it's us, shall not grant to any corporation, association or individual, any special privilege or franchise without the approval of the Congress of the United States.

"When I spoke to the people at, I believe it was from DBEDT, or the Energy Division at the Committee hearing. I asked them, 'Have you sought congressional approval for what you are trying to do, by establishing this special privilege and this new utility? Have you sought it?' They said, 'No, we haven't.' I got back to my office and found that the Public Utilities Commission, and I believe DBEDT, had called my office to say, what on earth is the number of that law from Congress in 1903? They weren't aware of it. So I don't know what they've done since this period of time, but we cannot go ahead with this legislation."

Representative Fontaine rose to yield his time, and the Chair "so ordered."

Representative Thielen continued, stating:

"Thank you Mr. Speaker, and thank you Representative. We cannot ahead with this measure, Mr. Speaker, without the congressional approval. It's a deal stopper. It's an absolute deal stopper.

"And then I want to go back to the Committee hearing, again, and just reference what Governor Abercrombie said. When I talked to him about, we're giving a no-risk opportunity to Hawaiian Electric for the work that it was going to be doing on land to accept the cable and that transmission. I said it's a corporate no-risk. It's a free ride for the corporation. All the costs, all the expenditures, get passed through to the rate-payer, the consumer. All of our constituents. And Governor Abercrombie said, he doesn't intend it to be, and I quote, "a free risk for the utility," end of quote.

"But it is. Yes, the Public Utilities Commission is supposed to only grant reasonable costs that are substantiated, but you take a look at page 13. The Public Utilities Commission shall establish a cable surcharge to allow recovery of the high voltage electric transmission cable system costs. That's the underwater portion. And the PUC is going to allow recovery of those costs.

"Well, from whom? Who do you think? Everyone in this room. Everyone on our island. I'm not clear if it's Neighbor Islands as well, but it's certainly all of our rate-payers. And for those that don't get a utility bill, they'll be paying in other ways the costs of this increased cost for electricity.

"And then the bill on page 15 goes on for Hawaiian Electric. Hawaiian Electric can recover through an automatic rate adjustment clause, its revenue requirement resulting from the capital costs that it prudently incurs for on-island transmission infrastructure.

"And then to rub salt into the wound, Mr. Speaker, on page 17, if Hawaiian Electric elects not to complete the on-island transmission infrastructure, the utility, or if it's prevented from completing it, it still can recover its costs. So there's absolutely no corporate risk. Mr. Speaker, you're a business man. Have you ever been guaranteed that you will not incur any risk? I would think not. I mean, anyone that is in this room that is in business, who has actually run a small business in this State, I can guarantee you that those small business people, woman or man, never were guaranteed not to have any risk. But we're allowing Hawaiian Electric to do a corporate, no-risk, incredibly expensive project, and if for some reason it doesn't go through, they still recover all their costs.

"Now Governor Abercrombie said, he didn't intend it to be risk free for the utility, but the plain language of the bill makes it risk free for the utility.

"Mr. Speaker, on the first portion of my remarks, I said that we legally cannot do this without congressional approval. On the second portion, I look at, is it morally responsible to do something that is going to burden our rate-payers, and the ones on Oahu, on top of paying the added .5% GET Tax for the rail, the steel on rail project.

"You reach a tipping point, where people basically won't be able to afford to stay here, and to live here. And you reach a tipping point, where our young people say, 'What you've done, you've made it so costly ...'"

Representative Ching rose to yield her time, and the Chair "so ordered."

Speaker Say addressed Representative Thielen, stating:

"Please proceed Representative Thielen, but can you conclude your remarks, since you have had two times already. This particular measure is being referred to what Committee? And the concerns and questions that you have on the Floor of the House, you can ask the testifiers to get the response that you are being educated on, these questions and concerns that you have. But please continue, so we can summarize this particular measure."

Representative Thielen continued, stating

"I wish I could, Mr. Speaker. But the problem is we're talking about a billion dollar bill. And a billion dollar bill needs more than 3 minutes, 5 minutes. It needs a lot more thought from the Members. And when you think of what we are doing economically, and we don't need to do it, we have the energy available on the individual islands to take care of the individual islands.

"We have that energy available. But when we set up a system where you're going to say to your grandkids, 'I wish you could afford to stay here. I know the utility rates are so high. I know we're paying such a high tax for GET. I know the rail is costing more.' And Mr. Speaker, what do you say to your grandkids? They may not be born yet. I hope they will be. And I would hope they'd be able to stay here.

"But the step we're taking day after day in this Legislature, and particularly with this billion dollar bill, we're going to be saying to them, 'Go some other place where you can afford to live, because you can't afford it in Hawaii.'

"The bill, I believe, is seriously, legally defective. And the bill I believe is not necessary, because we have the adequate natural resources off of each island, that we can tap into. And the bill provides a corporate free ride, which I think is reprehensible. Thank you."

Speaker Say then stated:

"Thank you very much. I believe that the questions that you have posed before this Body will be addressed in the Consumer Protection & Commerce Committee. And finally for the fiscal impact, it has to be passed on Second Reading to be referred to the Committee on Finance.

"Members of the House, I think you can realize how transparent and open we are. There were two Committees that heard this particular measure, and they decided to pass it out to the next Committee, which is the Consumer Protection & Commerce Committee. And finally for those on the Consumer Protection & Commerce Committee, you will have the opportunity of asking the questions that Representative Thielen has posed on the Floor of this House.

"If it gets out of the Consumer Protection & Commerce Committee, it goes onto the Finance Committee, where the question is, is this particular project a billion dollar boondoggle, or is it for the greater good of the State of Hawaii. That's for your deliberations in your respective Committees.

"Members, are there any other discussion that you may have on this particular measure?"

Representative Marumoto rose to speak in support of the measure with reservations, stating:

"Yes, Mr. Speaker. I will be voting on this measure with reservations. I do have a question, and I will hope to get the answer in Finance Committee. But not being familiar with the PUC laws, I don't quite understand what an electric utility company is, whether it's just HECO separately, or Hawaiian Electric separately, or whether it's HEI as an electric company. So I didn't know whether this bill pertained to all rate payers statewide for this project, or whether it's just Oahu ratepayers. Thank you."

Representative Fontaine rose and asked that the Clerk record an aye vote with reservations for him, and the Chair "so ordered."

Representative Pine rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative Carroll rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative Ching rose in support of the measure with reservations and asked that the remarks of Representative Thielen be entered into the Journal as her own, and the Chair "so ordered." (By reference only.)

Representative Wooley rose to speak in opposition to the measure, stating:

"Thank you, Mr. Speaker. No vote. And I just want to mention that this bill came up last year. And one of the concerns that I had when I expressed my reservations and no votes was that there was no cost benefit analysis. So we have absolutely no idea how much it will really cost. We've heard that the depth of our waters may actually be a severe problem to this project. So it needs a lot more vetting, and until there's a cost benefit analysis, this is a huge liability for our ratepayers. Thank you."

Representative Ward rose and asked that the Clerk record an aye vote with reservations for him, and the Chair "so ordered."

Representative Evans rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. In support. The purpose of this measure is to establish the regulatory framework for the development, financing, and use of a high-voltage, undersea, electrical transmission cable system that will permit the transmission of power generated on one or more islands to an electric utility system located on another island of the State."

"Hawaii is taking the leadership in the United States of America on renewable energy. Without a doubt, we're going to show everybody what it means to be self sustainable. But one of the things that we've heard on the mainland, when you talk to people in Alaska, you talk to people in Canada, they keep saying we want the pipeline. We want to be able to transmit. We want to get it down into the United States and the lower 48. Why? Because we can deliver quality energy, and we can cut the cost to consumers. So if we're going to develop geothermal, wind energy, and all the wonderful projects we keep talking about, and to become sustainable and no longer have fossil fuel, we have got to have transmission lines.

"It's going to be critical to what we want to achieve in Hawaii. Transmission. There was an economist recently that was in Hawaii, and he said, 'Isn't Hawaii lucky? You're a small state. You don't have a lot of miles to travel.' However we do have to get through trenches out in the Pacific Ocean. But he said, 'You don't have nearly the issues they have on the mainland in trying to move the energy around, and to cut the cost of energy.'

"So, Mr. Speaker, we have to have in my opinion, we have to move this forward because we're reaching for that bigger goal and that is to show everyone that this state can be 100% renewable energy. Thank you."

Representative Ching rose to speak in support of the measure with reservations, stating:

"Thank you, Mr. Speaker. Still with reservations. Mr. Speaker, just clarification. I think that the Representative was not speaking to the merits of alternative energy, which I think for the better half of how many years she's been in support of, and been very vocal about. The merits, what she spoke about is the way that the corporation is not taking a risk. So in clarification, my understanding, being here on the Floor, and all due respect to the Representative from the Big Island, it was about the corporate no risk. She has been a strong supporter, I think, we're all aware, of alternative energy."

Representative Riviere rose to speak in opposition to the measure, stating:

"In opposition with brief comments, please. Thank you. I just would like to draw the Members' attention to a couple of simple facts. The Big Island is approximately 30% alternative energy. Maui somewhere in the 15% range. I could be a little bit off, but in no case is there any island generating so much electricity that they've got extra to export. Maui does have surplus wind energy in the evenings.

"It would be my strong suggestion that we look at generating hydrogen, which as some of us recently toured the hydrogen facility out at Hickam Airbase, is a burgeoning technology that's got great promise. It's portable. It's storable. It's so that additional energy that is generated or lost at night could generate hydrogen. It would be a lot cheaper than building a cable.

"We don't have enough energy generated. This is a potential boondoggle. We can talk about this next year, or the year after. We're a long ways from generating enough electricity to push between the islands. Thank you."

Representative Chong rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. In support. Just a couple of points that people have made. I just want to talk about some of them. If you take a look at the bill, the bill allows a regulatory structure for the PUC to implement. If Members notice, it talks about a certified cable company. That's who's going to build it. Not the utility. The utility though, is the one who ends up billing the consumer in the end, so the PUC has to have the ability to pass on some of those costs. So that's first. I don't think anyone here, nor when you talk to the Administration thinks that the utilities going to build it. The utility doesn't have the capital means, nor the technical means to build the transmission cable. So that's first. It's going to be a private cable company. They are going to take the risk, because if it doesn't work, the PUC will not allow them to pass on the rate to the consumer. So that's one.

"Two is, for the issue of electrical generation for renewable energy on the Neighbor Island. I don't disagree with the Representative from the North Shore, that there is presently not an excess or a lot of excess, but that's the point. If you were a private company, Mr. Speaker, and you're on the Neighbor Island, are you going to invest your money to build a facility to create electricity from a renewable source, and you have no place to sell it? Of course not. You need the infrastructure to transmit it to Oahu first, and we're far from that. But if we're not even going to pass a regulatory structure to allow the PUC to move in this direction, then no one is going to develop renewable sources on the Neighbor Islands to sell to Oahu. It

wouldn't make sense to them, or their investors. So this is necessary to move the discussion forward.

"And then lastly, the Public Utility Commission is the decider on whether or not this going to be feasible and in the best interest, from a cost benefit ratio, for the ratepayer. Just as they did on a renewable project on the Big Island when they said no. Or the project on Oahu where they said no. If it doesn't pencil out, they're not going to do it. We don't set rates at the Legislature. The Public Utilities Commission does. That's who we empower. That's where the expertise is. And that's why if we're serious about renewable energy, and more importantly, if we were serious about lowering and stabilizing, more importantly, the utility cost for all our consumers, then we need to allow this measure to move forward. So that the Public Utilities Commission on behalf of the people has another tool to ensure a stable and cost-effective grid. Thank you."

Representative Thielen rose to respond, stating:

"Thank you, Mr. Speaker. Just in response to the Majority Leader's comments. I refer you to page 17 of the bill. The electric utility company shall be allowed by the Commission to recover the reasonable costs through the cable surcharge over a period equal to the period during which the costs were incurred, or 5 years, whichever is greater. So most likely it would be the 5-year period where we would be socked with a high rate, that the Public Utilities Commission would be required to go ahead of and grant.

"The point is that the bill does not help rate-payers. The bill is not about saving costs. The kind of technology it is trying to tap really is intermittent, and more than that, we don't even have the cost analysis from Booz Allen to tell us what this cable will cost. We're passing a regulatory scheme, first of all in violation of an Act of Congress, that's a real clinker. And we're passing a regulatory scheme not even knowing the potential cost impact. Booz Allen, it's been over a year since they had said they were going to release the report. It still hasn't come out.

"We know that it's about a billion dollar project. Well, Hawaiian Electric, or that cable company, isn't going to absorb all those costs. They're going to want to, not only not have to pay them, but they're going to want a profit for their shareholders, for Hawaiian Electric. And so we're not doing anything to bring down utility rates for the consumer. And the Public Utilities Commission, frankly, hasn't either. If you've taken a look at your bill recently, Mr. Speaker, and I'm sure as a business man, you have. Thank you."

Representative Rhoads rose to speak in support of the measure, stating:

"Mr. Speaker, in support. Just briefly. The whole notion of having a larger grid in and of itself saves money. And I think as a ratepayer, I would like to see this project go forward because the bigger the grid, the more sharing between various islands you can do.

"There may be questions about cultural issues with how the energy is generated, but that's a separate question within the economics of how a bigger grid works better. The Representative from the 50th District keeps coming back to the point that it's the ratepayers paying for this. Well, who else is there to pay for a project like this? It always comes back to the ratepayers. Although I have a different conclusion than the Representative from the 47th District, I do agree that it's the cost benefit ratio. When you have to balance the cost of building the thing in the first place, with the savings that you'll get by having a larger grid, and being able to, either in certain times, ship energy from Oahu to the other islands and in some situations, ship the energy in the other direction. But in any case, especially on the Neighbor Islands, the price of electricity is going to go down. It'll go down on Oahu too, but probably not as dramatically, because we're already a bigger grid. Thank you."

Representative Coffman rose to speak in support of the measure, stating:

"Thank you, Mr. Speaker. In strong support with some comments. Thank you. There's nothing in this bill about any project. This is just simply a regulatory process. The PUC can already go ahead and approve a cable project if they want to. What this regulatory process will do is it will

allow them to take on cable utilities that can actually provide cables at a lower cost. They need this tool because they're beginning the integrated resource planning which will tie all this together so that we can look at costs, and hopefully have lower rates. Thank you, Mr. Speaker."

Representative Hanohano rose and asked that the Clerk record a no vote for her, and the Chair "so ordered."

The motion was put to vote by the Chair and carried, and the report of the Committees was adopted and S.B. No. 2785, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO INTERISLAND ELECTRIC TRANSMISSION CABLE SYSTEMS," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce, with Representatives Hanohano, Riviere, Thielen and Wooley voting no, and with Representatives Herkes and Souki being excused.

Representatives Coffman and Chang, for the Committee on Energy & Environmental Protection and the Committee on Water, Land, & Ocean Resources presented a report (Stand. Com. Rep. No. 1001-12) recommending that S.B. No. 2001, SD 1, pass Second Reading and be referred to the Committee on Hawaiian Affairs.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committees was adopted and S.B. No. 2001, SD 1, entitled: "A BILL FOR AN ACT RELATING TO THE PUBLIC LAND TRUST," passed Second Reading and was referred to the Committee on Hawaiian Affairs, with Representatives Herkes and Souki being excused.

Representative Coffman, for the Committee on Energy & Environmental Protection presented a report (Stand. Com. Rep. No. 1002-12) recommending that S.B. No. 2511, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Economic Revitalization & Business.

Representative Chong moved that the report of the Committee be adopted, and that S.B. No. 2511, SD 2, HD 1, pass Second Reading and be referred to the Committee on Economic Revitalization & Business, seconded by Representative Evans.

Representative Kawakami rose to disclose a potential conflict of interest, stating:

"Thank you, Mr. Speaker. I'd like to ask for a ruling on a potential conflict. I work for a convenience store," and the Chair ruled, "no conflict."

Representative Fontaine rose to speak in support of the measure with reservations, stating:

"Yes, Mr. Speaker. I'm rising with reservations, and just some brief comments. You know, we've had a plastic bag ban on Maui now for, I think a couple of years. And that really has truly improved the environment. So I'm not against this going to paper or renewable bags. But what's kind of got my concern about this are these fees, and how they escalate as time goes on.

"I'm concerned that even though the businesses are allowed to keep a percentage of that fee, whether it's really going to cover the per bag cost. So I hope that maybe in the next Committee that they can really do some further analysis and maybe discuss this with some businesses that would have to provide these paper bags in replacement of the plastic bags. Thank you."

Representative Johanson rose to speak in support of the measure with reservations, stating:

"Thank you. With reservations and brief comments. I think I would have preferred some of the House measures along these lines, that provided for exemptions for those individuals who were most financially needy, including those that received some form of WIC subsidy. My concern is just that, although this is a well-intended bill, and I think a good aim to

seek to achieve doing it in amidst of a recession when people have fairly high living costs already, may just beg further discussion. Thank you."

Representative Cullen rose in support of the measure with reservations and asked that his written remarks be inserted in the Journal, and the Chair "so ordered."

Representative Cullen's written remarks are as follows:

"Mr. Speaker, I voted reservations on this measure because although we must reduce the use of plastics, singling out one item that is in most cases used by the community more than once is unfair. I understand we must change our behavior to protect the *aina*. And, being that the watershed is important we must find another way instead of adding another tax. We should look at a ban of all plastic, and not just one item. Providing a two cent rebate for two years as a startup to retailers is not proper. We should not use tax money to help retail stores."

Representative Ward rose and asked that the Clerk record an aye vote with reservations for him, and the Chair "so ordered."

Representative Har rose in support of the measure with reservations and asked that the remarks of Representative Johanson be entered into the Journal as her own, and the Chair "so ordered." (By reference only.)

Representative Hanohano rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative McKelvey rose to speak in support of the measure, stating:

"Just real quickly, Mr. Speaker. In support. Just some brief comments. You know, this Body passes a lot of measures where fees are basically mandatory. There's just no way around them you have to pay the fee no matter what. One of the things about this measure that I find intriguing is this is voluntary. If you don't want to pay the fee, and by the way, to answer the question of the good Representative from Kihei. Yes, the business community said that in the bill this would cover the costs of the paper bags. But you can avoid this by just bringing a recyclable bag or a box to the store, and you don't have to pay the fee."

"And I've noticed in the budget that we just passed we did the General Fund appropriation for the watershed program. I'm assuming that we'd like to pay that back as to not add to our deficit situation. So I know the concerns of the Members and appreciate them, but I just would like to as this measure moves forward hopefully that you reconsider this as a voluntary thing. You don't want to do it, you don't pay it. I do have concerns too, but I'm hopeful that in our Committee, that we can address them, particularly the impact upon small business by some of the amendments that were made to the bill. Thank you."

Representative Marumoto rose to speak in support of the measure with reservations, stating:

"Mr. Speaker, I will be voting with reservations on this particular version. I don't know what 100% is, much less the 75% that's mentioned in this measure. Thank you."

Representative Awana rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 2511, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO ENVIRONMENTAL PROTECTION," passed Second Reading and was referred to the Committee on Economic Revitalization & Business, with Representatives Herkes and Souki being excused.

Representative Coffman, for the Committee on Energy & Environmental Protection presented a report (Stand. Com. Rep. No. 1003-12) recommending that S.B. No. 2512, SD 2, pass Second Reading and be referred to the Committee on Agriculture.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2512, SD 2, entitled: "A BILL FOR AN ACT RELATING TO SUSTAINABILITY," passed Second Reading and was referred to the Committee on Agriculture, with Representatives Herkes and Souki being excused.

Representative Coffman, for the Committee on Energy & Environmental Protection presented a report (Stand. Com. Rep. No. 1004-12) recommending that S.B. No. 2787, SD 2, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2787, SD 2, entitled: "A BILL FOR AN ACT RELATING TO ELECTRICITY," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce, with Representatives Herkes and Souki being excused.

Representative Coffman, for the Committee on Energy & Environmental Protection presented a report (Stand. Com. Rep. No. 1005-12) recommending that S.B. No. 2752, SD 1, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce.

Representative Chong moved that the report of the Committee be adopted, and that S.B. No. 2752, SD 1, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce, seconded by Representative Evans.

Representative Thielen rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative Ching rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative Fontaine rose and asked that the Clerk record an aye vote with reservations for him, and the Chair "so ordered."

Representative Pine rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative Ward rose and asked that the Clerk record an aye vote with reservations for him, and the Chair "so ordered."

Representative Marumoto rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

Representative Johanson rose and asked that the Clerk record an aye vote with reservations for him, and the Chair "so ordered."

The motion was put to vote by the Chair and carried, and the report of the Committee was adopted and S.B. No. 2752, SD 1, entitled: "A BILL FOR AN ACT RELATING TO ELECTRIC UTILITIES," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce, with Representatives Herkes and Souki being excused.

Representatives Brower and Awana, for the Committee on Tourism and the Committee on International Affairs presented a report (Stand. Com. Rep. No. 1006-12) recommending that S.B. No. 2642, SD 1, pass Second Reading and be referred to the Committee on Finance.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committees was adopted and S.B. No. 2642, SD 1, entitled: "A BILL FOR AN ACT MAKING AN APPROPRIATION FOR THE HAWAII TOURISM AUTHORITY," passed Second Reading and was referred to the Committee on Finance, with Representatives Herkes and Souki being excused.

Representative Takumi, for the Committee on Education presented a report (Stand. Com. Rep. No. 1007-12) recommending that S.B. No. 2527, SD 2, pass Second Reading and be referred to the Committee on Water, Land, & Ocean Resources.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2527, SD 2, entitled: "A BILL FOR AN ACT RELATING TO EDUCATION," passed Second Reading and was referred to the Committee on Water, Land, & Ocean Resources, with Representatives Herkes and Souki being excused.

Representatives Yamane and Mizuno, for the Committee on Health and the Committee on Human Services presented a report (Stand. Com. Rep. No. 1008-12) recommending that S.B. No. 2828, as amended in HD 1, pass Second Reading and be referred to the Committee on Education.

Representative Chong moved that the report of the Committees be adopted, and that S.B. No. 2828, HD 1, pass Second Reading and be referred to the Committee on Education, seconded by Representative Evans.

Representative Hanohano rose and asked that the Clerk record an aye vote with reservations for her, and the Chair "so ordered."

The motion was put to vote by the Chair and carried, and the report of the Committees was adopted and S.B. No. 2828, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE HAWAII EARLY INTERVENTION COORDINATING COUNCIL," passed Second Reading and was referred to the Committee on Education, with Representatives Herkes and Souki being excused.

Representative Mizuno, for the Committee on Human Services presented a report (Stand. Com. Rep. No. 1009-12) recommending that S.B. No. 2800, SD 1, pass Second Reading and be referred to the Committee on Education.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2800, SD 1, entitled: "A BILL FOR AN ACT RELATING TO EXEMPTIONS FROM CHILD CARE LICENSING," passed Second Reading and was referred to the Committee on Education, with Representatives Herkes and Souki being excused.

Representative Mizuno, for the Committee on Human Services presented a report (Stand. Com. Rep. No. 1010-12) recommending that S.B. No. 2810, SD 1, pass Second Reading and be referred to the Committee on Labor & Public Employment.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2810, SD 1, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYMENT EXEMPTION FOR DOMESTIC SERVICES AUTHORIZED BY THE DEPARTMENT OF HUMAN SERVICES," passed Second Reading and was referred to the Committee on Labor & Public Employment, with Representatives Herkes and Souki being excused.

Representative Mizuno, for the Committee on Human Services presented a report (Stand. Com. Rep. No. 1011-12) recommending that S.B. No. 2833, SD 1, pass Second Reading and be referred to the Committee on Labor & Public Employment.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2833, SD 1, entitled: "A BILL FOR AN ACT RELATING TO EMPLOYMENT EXEMPTION FOR DOMESTIC SERVICES FOR PERSONS WITH DEVELOPMENTAL AND INTELLECTUAL [sic] DISABILITIES," passed Second Reading and was referred to the Committee on Labor & Public Employment, with Representatives Herkes and Souki being excused.

Representative Mizuno, for the Committee on Human Services presented a report (Stand. Com. Rep. No. 1012-12) recommending that S.B. No. 2950, SD 2, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2950,

SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO APPROPRIATIONS FOR THE HONOLULU FAMILY JUSTICE CENTER," passed Second Reading and was referred to the Committee on Judiciary, with Representatives Herkes and Souki being excused.

Representative Mizuno, for the Committee on Human Services presented a report (Stand. Com. Rep. No. 1013-12) recommending that S.B. No. 2588, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2588, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO LIMITATION OF ACTIONS," passed Second Reading and was referred to the Committee on Judiciary, with Representatives Herkes and Souki being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 1014-12) recommending that S.B. No. 2968, SD 2, pass Second Reading and be referred to the Committee on Consumer Protection & Commerce.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2968, SD 2, entitled: "A BILL FOR AN ACT RELATING TO MOTOR VEHICLE INSURANCE," passed Second Reading and was referred to the Committee on Consumer Protection & Commerce, with Representatives Herkes and Souki being excused.

Representative Souki, for the Committee on Transportation presented a report (Stand. Com. Rep. No. 1015-12) recommending that S.B. No. 2874, SD 1, pass Second Reading and be referred to the Committee on Water, Land, & Ocean Resources.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2874, SD 1, entitled: "A BILL FOR AN ACT RELATING TO AIRPORT REVENUE," passed Second Reading and was referred to the Committee on Water, Land, & Ocean Resources, with Representatives Herkes and Souki being excused.

Representative Rhoads, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 1016-12) recommending that S.B. No. 2070, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Judiciary.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2070, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO THE RESIDENCY OF APPOINTIVE OFFICERS," passed Second Reading and was referred to the Committee on Judiciary, with Representatives Herkes and Souki being excused.

Representative Rhoads, for the Committee on Labor & Public Employment presented a report (Stand. Com. Rep. No. 1017-12) recommending that S.B. No. 2846, SD 1, as amended in HD 1, pass Second Reading and be referred to the Committee on Economic Revitalization & Business.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2846, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO NOTICE OF WORKERS' COMPENSATION INSURANCE," passed Second Reading and was referred to the Committee on Economic Revitalization & Business, with Representatives Herkes and Souki being excused.

Representative McKelvey, for the Committee on Economic Revitalization & Business presented a report (Stand. Com. Rep. No. 1018-12) recommending that S.B. No. 3024, SD 1, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 3024, SD 1, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CORPORATIONS," passed Second Reading and was placed on the calendar for Third Reading, with Representatives Herkes and Souki being excused.

Representative Keith-Agaran, for the Committee on Judiciary presented a report (Stand. Com. Rep. No. 1019-12) recommending that S.B. No. 2508, SD 2, as amended in HD 1, pass Second Reading and be placed on the calendar for Third Reading.

On motion by Representative Chong, seconded by Representative Evans and carried, the report of the Committee was adopted and S.B. No. 2508, SD 2, HD 1, entitled: "A BILL FOR AN ACT RELATING TO CAMPAIGN REPORTING LAWS," passed Second Reading and was placed on the calendar for Third Reading, with Representatives Herkes and Souki being excused.

ANNOUNCEMENTS

At 1:23 o'clock p.m. the Chair declared a recess subject to the call of the Chair.

The House of Representatives reconvened at 1:23 o'clock p.m.

Speaker Say: "If there are no further announcements, the Chair would like to remind Committee Chairs that today is the Triple Referral Filing Deadline. So those measures that do not make the Triple Referral Deadline, it is like we say in our local jargon, *make* for the year. For Triple Referral bills that need to move to their second Committee, please file your Committee Reports and Drafts with the Chief Clerks Office by 6:00 p.m. for the Committee Chairs."

COMMITTEE ASSIGNMENTS

The following measures were referred to committee by the Speaker:

<u>H.R. Nos.</u>	<u>Referred to:</u>		
72	Committee on Transportation	87	Committee on Public Safety & Military Affairs, then to the Committee on Judiciary
73	Committee on Agriculture, then to the Committee on Finance	88	Jointly to the Committee on Water, Land, & Ocean Resources and the Committee on Energy & Environmental Protection, then to the Committee on Hawaiian Affairs, then to the Committee on Finance
74	Committee on Agriculture, then to the Committee on Finance	89	Committee on Hawaiian Affairs, then to the Committee on Finance
75	Committee on Agriculture, then to the Committee on Finance	90	Committee on Economic Revitalization & Business, then to the Committee on Finance
76	Jointly to the Committee on Human Services and the Committee on Health, then to the Committee on Judiciary	91	Committee on Judiciary, then to the Committee on Finance
77	Committee on Housing, then to the Committee on Health	92	Jointly to the Committee on Health and the Committee on Human Services, then to the Committee on Finance
78	Committee on Health, then to the Committee on Finance	93	Committee on Water, Land, & Ocean Resources, then to the Committee on Finance
79	Jointly to the Committee on Health and the Committee on Human Services, then to the Committee on Finance	94	Committee on Labor & Public Employment, then to the Committee on Finance
80	Committee on Public Safety & Military Affairs	95	Committee on Transportation, then to the Committee on Judiciary, then to the Committee on Finance
81	Committee on Energy & Environmental Protection, then to the Committee on Finance	96	Committee on Health, then to the Committee on Consumer Protection & Commerce
85	Jointly to the Committee on Water, Land, & Ocean Resources and the Committee on Hawaiian Affairs, then to the Committee on Finance	97	Jointly to the Committee on International Affairs and the Committee on Tourism
86	Committee on Transportation	98	Jointly to the Committee on International Affairs and the Committee on Tourism
		99	Committee on Water, Land, & Ocean Resources, then to the Committee on Judiciary
		100	Committee on Water, Land, & Ocean Resources, then to the Committee on Finance
		101	Jointly to the Committee on Human Services and the Committee on Health, then to the Committee on Finance
		102	Committee on Housing, then to the Committee on Judiciary
		103	Jointly to the Committee on Health and the Committee on Human Services, then jointly to the Committee on Judiciary and the Committee on Consumer Protection & Commerce
		104	Jointly to the Committee on Water, Land, & Ocean Resources and the Committee on Tourism, then to the Committee on Higher Education, then to the Committee on Finance
		105	Jointly to the Committee on Agriculture and the Committee on Economic Revitalization & Business
		106	Committee on Housing
		107	Committee on International Affairs, then to the Committee on Finance
		108	Committee on Human Services, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance
		109	Committee on Health, then to the Committee on Finance
		110	Committee on Water, Land, & Ocean Resources, then to the Committee on Hawaiian Affairs

<u>H.C.R.</u> <u>Nos.</u>	<u>Referred to:</u>		
100	Committee on Transportation	125	Committee on Health, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance
101	Committee on Agriculture, then to the Committee on Finance	126	Jointly to the Committee on Health and the Committee on Human Services, then to the Committee on Finance
102	Committee on Agriculture, then to the Committee on Finance	127	Committee on Water, Land, & Ocean Resources, then to the Committee on Finance
103	Committee on Agriculture, then to the Committee on Finance	128	Committee on Health, then to the Committee on Consumer Protection & Commerce
104	Committee on Agriculture, then to the Committee on Higher Education, then to the Committee on Finance	129	Jointly to the Committee on International Affairs and the Committee on Tourism
105	Jointly to the Committee on Human Services and the Committee on Health, then to the Committee on Judiciary	130	Jointly to the Committee on International Affairs and the Committee on Tourism
106	Committee on Housing, then to the Committee on Health	131	Committee on Water, Land, & Ocean Resources, then to the Committee on Judiciary
107	Committee on Transportation, then to the Committee on Higher Education, then to the Committee on Finance	132	Committee on Water, Land, & Ocean Resources, then to the Committee on Finance
108	Committee on Energy & Environmental Protection, then to the Committee on Finance	133	Committee on Health, then to the Committee on Consumer Protection & Commerce, then to the Committee on Legislative Management
109	Committee on Public Safety & Military Affairs	134	Jointly to the Committee on Human Services and the Committee on Health, then to the Committee on Finance
110	Committee on Energy & Environmental Protection, then to the Committee on Finance	135	Committee on Housing, then to the Committee on Judiciary
111	Jointly to the Committee on Human Services and the Committee on Health, then to the Committee on Judiciary	136	Jointly to the Committee on Health and the Committee on Human Services, then jointly to the Committee on Judiciary and the Committee on Consumer Protection & Commerce
112	Jointly to the Committee on Water, Land, & Ocean Resources and the Committee on Hawaiian Affairs, then to the Committee on Finance	137	Committee on Education, then to the Committee on Finance
113	Committee on Transportation	138	Committee on Agriculture, then jointly to the Committee on Higher Education and the Committee on Education
114	Committee on Judiciary	139	Jointly to the Committee on Economic Revitalization & Business and the Committee on International Affairs, then to the Committee on Finance
115	Committee on Public Safety & Military Affairs, then to the Committee on Judiciary	140	Committee on Economic Revitalization & Business, then to the Committee on Finance
116	Jointly to the Committee on Water, Land, & Ocean Resources and the Committee on Energy & Environmental Protection, then to the Committee on Hawaiian Affairs, then to the Committee on Finance	141	Committee on Economic Revitalization & Business, then to the Committee on Consumer Protection & Commerce, then to the Committee on Legislative Management
117	Committee on Hawaiian Affairs, then to the Committee on Finance	142	Committee on Water, Land, & Ocean Resources
118	Committee on Economic Revitalization & Business, then to the Committee on Legislative Management	143	Committee on Water, Land, & Ocean Resources
119	Committee on Economic Revitalization & Business, then to the Committee on Finance	144	Committee on Housing
120	Committee on Judiciary, then to the Committee on Finance	145	Committee on International Affairs, then to the Committee on Finance
121	Jointly to the Committee on Health and the Committee on Human Services, then to the Committee on Finance	146	Committee on Human Services, then to the Committee on Consumer Protection & Commerce, then to the Committee on Finance
122	Committee on Water, Land, & Ocean Resources, then to the Committee on Finance	147	Committee on Agriculture, then to the Committee on Legislative Management
123	Committee on Labor & Public Employment, then to the Committee on Finance	148	Committee on Water, Land, & Ocean Resources, then to the Committee on Hawaiian Affairs
124	Committee on Transportation, then to the Committee on Judiciary, then to the Committee on Finance		

ADJOURNMENT

At 1:24 o'clock p.m. on motion by Representative Evans, seconded by Representative Pine and carried, the House of Representatives adjourned until 12:00 o'clock noon tomorrow, Friday, March 16, 2012. (Representatives Herkes and Souki were excused.)